

Service Date: January 16, 1989

FINAL ORDER NO. 5912

DEPARTMENT OF PUBLIC SERVICE REGULATION
MONTANA PUBLIC SERVICE COMMISSION

In the Matter of the Application of)	DOCKET NO. T-9317
SPORTCO, INC. DBA PETERSON MOTORS,)	
Missoula, Montana, for a Montana)	
Certificate of Public Convenience)	ORDER NO. 5912
and Necessity.)	

The Commission, having taken evidence and being fully advised in the premises, makes the following findings, conclusions and order:

FINDINGS OF FACT

1. On September 22, 1988, Sportco, Inc. dba Peterson Motors, 3600 Reserve Street, P.O. Box 3898, Missoula, Montana 59806, filed an application with the Montana Public Service Commission under Title 69, MCA, for a Certificate of Public Convenience and Necessity authorizing the transportation of passengers by chauffeured limousine, Class B, between all points and places in Missoula, Ravalli, Lake and Flathead Counties. Limitations: Reservations are required and transportation is limited to six (6) passengers or less.

2. In accordance with Section 69-23-321, MCA, as amended, this matter was noticed to the public October 4, 1988. That

notice said in pertinent part:

If no written protests are received by October 24, 1988, a hearing may not be held and a final order may be issued in this Docket. If a protest is received, a hearing will be scheduled. Individual notice of the hearing will be given only to Protestants and Applicant.

The application included affidavits of support.

3. A protest was filed by Lonnie I. and Leona I, Knutson dba Valet Limousine Service, Kalispell, Montana.

4, On November 21, 1988, Applicant restrictively amended his application to prohibit pickups and deliveries in Lake and Flathead Counties.

5. On January 9, 1989, Protestant withdrew the protest to the docket.

CONCLUSIONS OF LAW

1. The Montana Public Service Commission properly exercises jurisdiction over the parties and subject matter in this proceeding.

2. The Commission afforded all parties interested in this proceeding proper notice and an opportunity to participate.

3. Public Convenience and Necessity require a grant of the authority sought by the Applicant.

ORDER

NOW THEREFORE, at a session of the Public Service Commission, Department of Public Service Regulation of the State of Montana, held in its offices at 2701 Prospect Avenue, Helena,

Montana, on the 16th day of January, 1989, there being present a quorum of Commissioners, there came regularly before the Commission for final action the matters and things in Docket No. T-9317, and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the application of SPORTCO, INC. DBA PETERSON MOTORS, Missoula, Montana for a Certificate of Public Convenience and Necessity IS GRANTED to the following extent: Class B - Passengers by chauffeured limousine between all points and places in Missoula, Ravalli, Lake and Flathead Counties. Limitations: 1) Reservations are required. 2) Transportation is limited to six (6) passengers or less. 3) Pickup and delivery of passengers is prohibited in Flathead and Lake Counties.

IT IS FURTHER ORDERED that a full, true and correct copy of this order be sent forthwith by certified mail to the Applicant herein.

THE FOREGOING ORDER was adopted by the Department of Public Service Regulation of the State of Montana, Public Service Commission, IN OPEN SESSION at Helena, Montana, this 16th day of January, 1989, by a vote of 5 - 0 .

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

CLYDE JARVIS, Chairman

HOWARD L. ELLIS, Vice Chairman

JOHN B. DRISCOLL, Commissioner

DANNY OBERG, Commissioner

WALLACE W. "WALLY" MERCER, Commissioner

ATTEST:

Commission Secretary

(SEAL)

NOTE: Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.